



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

---

No. 254

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

---

## PART-IIA

GOVERNMENT OF MEGHALAYA  
MINING AND GEOLOGY DEPARTMENT

-----

### NOTIFICATION

The 8<sup>th</sup> December, 2017.

**No.MG.47/2015/229.** - The Governor of Meghalaya is pleased to notify The Meghalaya District Mineral Foundation Rules, 2017 as follows:-

### **THE DISTRICT MINERAL FOUNDATION RULES, 2017.**

In exercise of the powers conferred by sub section (4) of Section 15, Section 15A and Section 21 read with Section 9B of the Mines and Minerals (Development and Regulation) Act, 1957 as amended by the Amendment Act, 2015, the Government of Meghalaya hereby makes the following rules for the establishment of District Mineral Foundations, the manner of working and receipt of contributions thereto, in all mineral bearing districts, for the interest and benefit of persons and areas affected by mining related operations and for purposes connected therewith, as follows,-

1. **Short title & commencement.**- (1) These rules may be called “the Meghalaya District Mineral Foundation Rules, 2017.”
2. They shall come into force with effect from the date of their notification in the Official Gazette.

2. **Definitions.-** (1) In these rules, unless the context otherwise requires :-
- (a) “Act” means the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957) as amended;
  - (b) “Authorized Officer” means Director or Joint Director or Deputy Director or Mining Engineer or Divisional Mining Officer or Mining Officer or Mines Royalty Inspector or Assistant Mines Royalty Inspector or Engineer of the Mining & Geology Department for their respective jurisdiction or any other officer authorized in this behalf by the State Government by notification in the Official Gazette;
  - (c) “Central Government” means the Government of India;
  - (d) “Department” means Department of Mining & Geology, Government of Meghalaya;
  - (e) “Director” means Director of Mineral Resources, Government of Meghalaya;
  - (f) “DMF” means District Mineral Foundation established under this rule;
  - (g) “Governing Council” means all the trustees of the District Mineral Foundation;
  - (h) “Section” means section of the Mines and Minerals (Development and Regulation) Act, 1957 as amended;
  - (i) “State” means the State of Meghalaya;
  - (j) “State Government” means the State Government of Meghalaya;
  - (k) “Trust” means the District Mineral Foundation set up by State Government under sub-rule (1) of rule 3 of Meghalaya District Mineral Foundation Rules, 2017;
  - (l) “Year” means financial year beginning on April 1 and ending on March 31 of the following year or part period there of ending on March 31;
  - (m) “Gram Sabha” means “Local Authority” as defined in Section 2(g) of the Meghalaya Residents Safety and Security Act, 2016 (Act No. 6 of 2016); and
  - (n) “PMKKKY” means “Pradhan Mantri Khanij Kshetra Kalyan Yojana” notified by Ministry of Mines, Government of India vide notification No. 16/7/2015-M.VI (Part) dated 16<sup>th</sup> September, 2015 appended as Schedule -II.

(2) Words and expression used but not defined in these rules shall have the same meaning as assigned to them under the Mines and Minerals (Development and Regulation) Act, 1957, as amended.

3. **Constitution of District Mineral Foundation.-**

- (1) There shall be a Trust to be known as the District Mineral Foundation, constituted for each district of the State.
- (2) The Trust shall be a perpetual body and shall have a common seal.
- (3) The Deed of Trust (Form A appended hereto) shall be registered in each district by the Department or any person duly authorised on his behalf.
- (4) The Deed of Trust shall be read along with this Part for removal of any difficulties and operational issues.

4. **Composition of the District Mineral Foundation.-** (1) The Governing Council shall consist of the following members, namely;-

- (i) District Magistrate or Deputy Commissioner, who shall be its Chairperson and managing Trustee. - Chairman
- (ii) Additional Deputy Commissioner or Project Director, District Rural Development Agency. - Member
- (iii) Divisional Forest Officer. - Member
- (iv) District Medical & Health Officer. - Member
- (v) District Social Welfare Officer. - Member
- (vi) District AH and Veterinary Officer. - Member
- (vii) District School Education Officer. - Member
- (viii) District Agriculture Officer. - Member
- (ix) District Horticulture Officer. - Member
- (x) General Manager, District Commerce & Industries Centre. - Member
- (xi) Deputy Labour Commissioner. - Member
- (xii) Joint Director or Divisional Mining Officer or representative from Directorate of Mineral Resources. - Member Secretary
- (xiii) Executive Engineer Public Works Department (R) & (B). - Member
- (xiv) District Treasury Officer. - Member
- (xv) Representative of Secretary of the concerned Autonomous District Council. - Member

- (xvi) Five community representatives from areas affected by mining, nominated by the DMF.
- (xvii) One representative each from lease or permit holder of major or minor mineral, nominated by the District Governing Council.
- (2) The Chairperson may nominate or invite such other Officials to the meetings of the Council, as he may consider necessary.
- (3) The quorum for the Council shall be fifty percent of the members.
- (4) The Joint Director or Divisional Mining Officer, acting as convenor shall call for meetings of the Council.
- (5) The Council shall meet once every quarter in a financial year.
- (6) Membership of the District Governing Council will be for a maximum period of three years in respect of non official members. Members once nominated or selected can be re-nominated or reselected only after a gap of 10 years. This provision does not apply to government representatives.

5. **Powers and Functions of the Governing Council of the District Mineral Foundation.**- There shall be a Governing Council for the overall control over the

management and day to day functioning of the Trust shall, subject to the guidelines or directions, if any, issued by the State or Central Government from time to time, have the following powers and functions including but not limited to:

- (i) prepare and maintain an updated list of directly or indirectly affected areas by mining related operations;
- (ii) approve the list of beneficiaries identified in the manner as specified in these rules;
- (iii) approve the master plan or perspective plan;
- (iv) ratify the appointment of auditors and approve annual reports;
- (v) monitor the proper functioning of the Trust;
- (vi) approve the annual budget, audit report and annual plan of the Trust;
- (vii) grant administrative sanction for projects, release and disburse the Trust Fund;
- (viii) appoint and remove staff taken on outsourcing basis;
- (ix) supervision of execution of contracts and works and matters incidental thereto;
- (x) maintenance of proper books of accounts;

- (xi) exercise due diligence in carrying out its duties for protecting the interests of the Trust;
- (xii) ensure timely collection of Contribution Fund from the concerned Mining Lease Holders in accordance with the provisions of the Act;
- (xiii) all such other activities which are required for proper administration and working of the DMF; and
- (xiv) any other activity incidental to or connected with any of the powers and functions as stated above.

6. **Objectives of the Trust.**- The objectives of the Trust will be-

- (i) To work for the interest and benefit of persons and areas affected by mining related operations;
- (ii) To plan, allocate, and ensure effective utilization of the funds accruing to the District Mineral Foundation towards the implementation of the various developmental and welfare projects or programmes in mining affected areas;
- (iii) To minimise or mitigate the adverse impacts during and after mining, on the environment, health and socio-economics of people in mining districts;
- (iv) To ensure long term sustainable livelihoods for the affected people in the mining areas.

7. **Contributions to the Trust.**- (1) Amount received under sub-sections (5) and (6) of Section 9B of the Mines & Minerals (Development and Regulation) Act, 1957 as amended at rates as notified by Central Government.

- (2) By concession amount of payment under clause (C) of sub-section (4) of Section 15 of the Mines & Minerals (Development and Regulation) Act, 1957 as amended at the rate prescribed in the Schedule I appended to these rules.
- (3) Income from properties of the Trust.
- (4) Any other income which may accrue in the working of institution controlled by the Trust.
- (5) Contributions to District Mineral Foundation Trust may also be made through grants and aid by either the State or Central Government.

8. **Utilisation of the Funds of the District Mining Foundation.**- The funds available with the District Mineral Foundation shall be utilised covering the activities listed in Para 2 of PMKKKY for the affected areas and people to be identified in the manner prescribed in Para 1 of PMKKKY.

9. **Power to hold property.** - The Trust shall have the power to hold property both moveable and immovable property which are highly essential for its day to day functioning.
10. **Vacancies in the Trust.**- Any vacancy in the Trust shall not invalidate acts of the Trust.
11. **Audit.**- The accounts of the District Mineral Foundation shall be audited every year by the Chartered Accountant appointed by the Foundation, or in such a manner as the Government may specify, and the report thereof shall be placed in the public domain along with the Annual Report.
12. **Annual Report.**- (1) Every year, within three months from the date of closure of the financial year, the District Mineral Foundation shall cause to prepare an Annual Report on its activities for the respective financial year and place it before District Mineral Foundation.
- (2) The Annual Report will be submitted to the Government within one month from the date of its approval by the District Mineral Foundation and will also be hosted on the website of the Foundation.
- (3) The Annual Report of each District Mineral Foundation shall be laid before the State Legislative Assembly.

**T. DKHAR,**

Commissioner & Secretary to the Government of Meghalaya,  
Mining & Geology Department.

**Schedule -I**

[See sub-rule (2) of Rule 7]

30% of the Royalty paid in terms of the Schedule-IV to the Meghalaya Minor Minerals Concession Rules, 2016.

**SCHEDULE-II**  
**[See Rule 2(1) (n)+8]**

**Guidelines of Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY) published  
vide No. 16/7/2015-M.VI (Part) Government of India, Ministry of Mines, New Delhi  
Shastri Bhavan dated 16<sup>th</sup> September, 2015.**

The Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY) will be implemented by the District Mineral Foundations (DMFs) of the respective districts using the funds accruing to the DMF and as per provisions laid in Section 20A of the MMDR act, 1957, has directed to incorporate PMKKKY into the rules framed for DMF.

The overall objective of PMKKKY scheme will be (a) to implement various developmental and welfare projects/programs in mining affected areas, and these projects/ programs will be complementing the existing ongoing schemes/projects of State and Central Government; (b) to minimize/mitigate the adverse impacts, during and after mining, on the environment, health and socio-economics of people in mining districts; and (c) to ensure long-term sustainable livelihoods for the affected people in mining areas.

**1. Identification of affected areas and people to be covered under the PMKKKY.**

**1) Affected areas.**

- a. Directly affected areas – where direct mining-related operations such as excavation, mining, blasting, beneficiation and waste disposal (overburdened dumps, tailing ponds, transport corridors etc.), etc. are located.
  - a) Villages and gram panchayats within which the mines are situated and are operational. Such mining areas may extend to neighboring village, block or district on even state.
  - b) An area within such radius from a mine or cluster of mines as may be specified by the State Government, irrespective of whether this falls within the district concerned or adjacent district.
  - c) Villages in which families displaced by mines have resettled/rehabilitated by the project authorities.
  - d) Villages that significantly depend on the mining areas for meeting their economic needs and have usufruct and traditional rights over the project areas, for instance, for grazing, collection of minor forest produce etc. should be considered as directly affected areas.



- b. Indirectly affected areas –Those areas where local population is adversely affected on account of economic, social and environmental consequences due to mining-related operations. The major negative impacts of mining could be by way of deterioration of water, soil and air quality, reduction in stream flows and depletion of ground water, congestion and pollution due to mining operations, transportation of minerals, increased burden on existing infrastructure and resources.
- c. The DMF shall prepare and maintain an updated list of such directly and indirectly affected areas by mining related operations.

**2) Affected people.**

- a. The following should include as directly affected persons:
  - a) ‘Affected family’ as defined under Section 3 (c) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
  - b) ‘Displaced family’ as defined under Section 3 (k) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
  - c) Any other as appropriately identified by the concerned gram sabha.
- b. Persons affected by mining should include people who have legal and occupational rights over the land being mined, and also those with usufruct and traditional rights.
- c. Affected families should be identified, as far as possible, in consultation with local/elected representatives of gram sabha.
- d. The DMF shall prepare and maintain an updated list of such affected persons/local communities.

**2. Utilisation of Funds.**

**1) Scope of PMKKKY.**

The PMKKKY may cover the activities listed below: High priority areas – at least 60% of PMKKKY funds to be utilized under these heads:

- a. Drinking water supply –centralized purification systems, water treatment plants, permanent/temporary water distribution network including standalone facilities for drinking water, laying of piped water supply system.
- b. Environment preservation and pollution control measures- effluent treatment plants, prevention of pollution of streams, lakes, ponds, ground water, other water sources in the region, measure for controlling air and dust pollution caused by mining operations

and dumps, mine drainage system, mine pollution prevention technologies, and measures for working or abandoned mines and other air, water & surface pollution control mechanisms required for environment-friendly and sustainable mine development.

- c. Health care –the focus must be on creation of primary / secondary health care facilities in the affected areas. The emphasis should not be only on the creation of the health care infrastructure, but also on provision of necessary staffing, equipment and supplies required for making such facilities effective. To that extent, the effort should be to supplement and work in convergence with the existing health care infrastructure of the local bodies, state and Central government. The expertise available with the National Institute of Miners' Health may also be drawn upon to design special infrastructure needed to take care of mining related illnesses and diseases. Group Insurance Scheme for health care may be implemented for mining affected persons.
- d. Education – construction of school buildings, Additional class rooms, Laboratories, Libraries, Art and crafts room, Toilet blocks, Drinking water provisions Residential Hostels for students/teachers in remote areas, sports infrastructure, engagement of teachers/other supporting staff, e-learning setup, other arrangement of transport facilities (bus/van/cycles/rickshaws/etc.) and nutrition related programs.
- e. Welfare of Women and Children- Special programmes for addressing problems of maternal and child health, malnutrition, infectious diseases, etc. can be taken up under the PMKKKY.
- f. Welfare of aged and disabled people – Special program for welfare of aged and disabled people.
- g. Skill development–skill development for livelihood support, income generation and economic activities for local eligible persons. The projects / schemes may include training, development of skill development center, self-employment schemes, support to Self Help Groups and provision of forward and backward linkages for such self-employment economic activities.
- h. Sanitation– collection, transportation & disposal of waste, cleaning of public places, provision of proper drainage & Sewage Treatment Plant, provision for disposal of fecal sludge, provision of toilets and other related activities.

**Other priority Areas – Up to 40% of the PMKKKY to be utilized under these heads**

- a. **Physical infrastructure** - providing required physical infrastructure - road, bridges, railways and waterways projects.
- b. **Irrigation** - developing alternate sources of irrigation, adoption of suitable and advanced irrigation techniques.
- c. **Energy and Watershed Development** - Development of alternate source of energy (including micro-hydel) and rainwater harvesting system. Development of orchards, integrated farming and economic forestry and restoration of catchments.
- d. **Any other measures for enhancing environmental quality in mining district.**

**2) General guidelines**

- a. The developmental and welfare activities to be taken up under the PMKKKY should be, as far as possible, in the nature of complementing the ongoing schemes/projects being funded by the State as well Central Government. Activities meant to be taken up under the 'polluter pays principle' should not be taken up under the PMKKKY. However, without prejudice to the powers of the Foundation, efforts shall be made to achieve convergence with the State and the District Plans so that the activities taken up by the Foundation supplement the development and welfare activities and are treated as extra-budgetary resources for the State Plan.
- b. An amount not exceeding 5% of the annual receipts of the Foundation subject to an upper limit fixed by state government may be utilised for administrative, supervisory and overhead costs of the Foundation. As far as possible, no temporary/permanent posts should be created under PMKKKY. Any creation of temporary/permanent posts and purchase of vehicle by the foundation shall require prior approval of the State Government. However, minimum required staff can be engaged on contractual basis.
- c. If the affected area of a mine in one district also falls in the jurisdiction of another district, such percentage of amount collected from the mine by the Foundation, as may be decided by the Government, shall be transferred to the Foundation of the other district concerned for taking up the activities in such areas. A project that is for benefit of the affected area/ people, but stretches beyond the geographical boundary of the district should be taken up under the PMKKKY after obtaining prior approval of the State Government. Projects for development of common infrastructure like construction of roads, bridges etc. in excess of the limits specified in regard to the priority for fund utilization, on a case to case basis, may also be taken up for projects of importance to the District. The prior approval of the State Government need to be

taken, with intimation to the Central Government, before taking up such works in excess of the limits of fund utilization.

- d. A reasonable sum of the annual receipts should be kept as endowment fund for providing sustainable livelihood.

### **3. Special provisions for scheduled areas**

The process to be adopted for utilization of PMKKKY funds in the scheduled areas shall be guided by the provisions contained in Article 244 read with Schedule V and Schedule VI to the Constitution relating to administration of the Scheduled Areas and Tribal Areas and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

In respect of villages affected by mining situated within the scheduled areas:

- (i) Approval of the Gram Sabha shall be required
  - a) for all plans, programs and projects to be taken up under PMKKKY.
  - b) identification of beneficiaries under the existing guidelines of the Government.
- (ii) Report on the works undertaken under PMKKKY in the respective village shall be furnished to the Gram Sabha after completion of every financial year.

[Gram Sabha will have same meaning as assigned to it for the purpose of implementation of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (Act 40 of 1996)]

### **4. Implementation of Works / Contracts**

- (i) Works /goods may be procured by the DMF after following the due procedure prescribed by the respective state governments for such procurements.
- (ii) Transfer of fund to all agencies and beneficiaries shall be into their bank account.

### **5. Compliance of Transparency**

- (1) Each Foundation will prepare and maintain a website on which, inter-alia, following information will be hosted and kept updated:-
  - (i) Details of composition of the DMF/bodies of DMF (if any).
  - (ii) List of areas and people affected by mining.

- (iii) Quarterly details of all contributions received from lessees and others.
- (iv) All meeting agenda, minutes and action taken reports (ATRs) of the DMF.
- (v) Annual Plans and budget, work orders, Annual Report.
- (vi) Online status of ongoing works – implementation status/progress of all the projects/programs being undertaken under PMKKKY should be made available on the website, including description of work, details of beneficiaries, estimated cost, name of implementing agencies, expected date of commencement and completion of work, financial and physical progress upto last quarter etc.
- (vii) List of beneficiaries under various welfare programs.
- (viii) Voluntary disclosures under RTI Act.

## **6. Audit**

The accounts of the DMF shall be audited every year by the Chartered Accountant appointed by the DMF, or in such other manner as the Government may specify, and the report thereof shall be placed in the public domain alongwith the Annual Report.

## **7. Annual Report**

- a. Every year, within three months from the date of closure of the financial year, the DMF shall cause to prepare an Annual Report on its activities for the respective financial year and place it before the DMF.
- b. The Annual Report will be submitted to the Government within one month from the date of its approval by the DMF and will also be hosted on the website of the Foundation.
- c. The Annual Report of each Foundation shall be laid before the State Legislative Assembly.

\*\*\*\*\*



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 255

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

## PART-IIA

### GOVERNMENT OF MEGHALAYA FINANCE (PAY REVISION) DEPARTMENT

-----

#### NOTIFICATION

The 7<sup>th</sup> December, 2017.

#### OFFICE MEMORANDUM

**Subject:- RATION ALLOWANCE.**

**No. F(PR)-65/2017/18.** - The undersigned is directed to refer to item 3.23 of Government Resolution on the recommendations of the Fifth Meghalaya Pay Commission and to say that the Governor of Meghalaya is pleased to revise the rate of Ration Allowance for the personnel under Home (Police) and Home (CD & HG) Department as specified below:-

**A. Home (Police)**

- |   |   |                 |
|---|---|-----------------|
| i. Armed Branch (upto the rank of Inspector)    | - | ₹ 1,200.00 p.m. |
| ii. Unarmed Branch (upto the rank of Inspector) | - | ₹ 900.00 p.m.   |

**B. Home Guard**

- |  |   |               |
|--|---|---------------|
| For Border Wing Home Guards (upto the rank of Subedar) and the Meghalaya Secretariat Home Guards | - | ₹ 200.00 p.m. |
|--|---|---------------|

These orders shall take effect from 1<sup>st</sup> December, 2017.

**R. V. SUCHIANG,**  
Principal Secretary to the Govt. of Meghalaya,  
Finance Department.



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 256

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

## PART-IIA

### GOVERNMENT OF MEGHALAYA FINANCE (PAY REVISION) DEPARTMENT

#### NOTIFICATION

The 7<sup>th</sup> December, 2017.

#### OFFICE MEMORANDUM

**Subject:- UNIFORM, MESSING & NURSING ALLOWANCE.**

**No. F(PR)-64/2017/18.** - The undersigned is directed to refer to item 3.17 of Government Resolution on the recommendations of the Fifth Meghalaya Pay Commission and to say that the Governor of Meghalaya is pleased to sanction the grant of Uniform, Messing and Nursing Allowance to Nurses under Health & Family Welfare Department at the rates specified below:-

**a. Uniform Allowance:-**

- |                     |   |            |
|---------------------|---|------------|
| i. Initial Grant    | - | ₹ 4,000.00 |
| ii. Subsequent year | - | ₹ 1,500.00 |

**b. Messing Allowance** - ₹ 1,400.00 p.m.

**c. Nursing Allowance** - ₹ 1,000.00 p.m.

2. This order shall take effect from 1<sup>st</sup> December, 2017.

**R. V. SUCHIANG,**  
Principal Secretary to the Govt. of Meghalaya,  
Finance Department.



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 257

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

## PART-IIA

GOVERNMENT OF MEGHALAYA  
FINANCE (PAY REVISION) DEPARTMENT

### NOTIFICATION

The 5<sup>th</sup> December, 2017.

### OFFICE MEMORANDUM

**Subject:- PERMANENT/FIXED TRAVELLING ALLOWANCE.**

**No. F(PR)-60/2017/19.** - The undersigned is directed to refer to Item 3.8 of Government Resolution on the recommendations of the Fifth Meghalaya Pay Commission and to say that in pursuance thereof, the Governor of Meghalaya is pleased to order that the revised rates of Permanent/Fixed Travelling Allowance to certain category of government employees be as follows:

Category of Officials	Recommended amount of Permanent/Fixed Travelling Allowances
(1)	(2)

**(a) Finance**

(i) Audit Officer	(i) ₹ 4,800.00 p.m.
(ii) Auditor	(ii) ₹ 4,300.00 p.m.
(iii) Assistant Auditor	(iii) ₹ 3,740.00 p.m.
(iv) Peon	(iv) ₹ 2,400.00 p.m.

**(b) Education**

Sub-Inspectors of Schools (Re-designated as Addl. Sub-Divisional School Education Officer)	₹ 2,000.00 p.m. (Subject to the condition that they perform a minimum of 15 days field duties in a month).
--	--

**(c) Community & Rural Development**

Gram Sevak/Sevika	₹ 2,000.00 p.m. (Subject to the condition that they perform a minimum of 15 days field duties in a month).
-------------------	--



**(d) A.H. & Veterinary**

Veterinary Field Assistant

₹ 1,500.00 p.m.

(Subject to the condition that they perform a minimum of 15 days field duties in a month).

**(e) Sericulture & Weaving**

(i) Sericulture Demonstrator

₹ 1,500.00 p.m.

(Subject to the condition that they perform a minimum of 15 days field duties in a month).

(ii) Weaving Demonstrator  
(Handloom).

- do -

**R. V. SUCHIANG,**

Principal Secretary to the Govt. of Meghalaya,  
Finance Department.



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 258

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

## PART-IIA

### GOVERNMENT OF MEGHALAYA FINANCE (PAY REVISION) DEPARTMENT

#### NOTIFICATION

The 7<sup>th</sup> December, 2017.

#### OFFICE MEMORANDUM

**Subject:- DAILY ALLOWANCE.**

**No. F(PR)-58/2017/19.** - The undersigned is directed to refer to Item 3.12 of Government Resolution on the recommendations of the Fifth Meghalaya Pay Commission and to say that in pursuance thereof, the Governor of Meghalaya is pleased to order revision of the rates of Daily Allowance as indicated below:

Grade of Employee	Within the State	Outside the State but within the N.E. Region	Outside the N.E. Region
(1)	(2)	(3)	(4)
Grade-I	₹ 360.00	₹ 600.00	₹ 900.00
Grade-II	₹ 270.00	₹ 450.00	₹ 700.00
Grade-III	₹ 240.00	₹ 400.00	₹ 600.00
Grade-IV	₹ 200.00	₹ 360.00	₹ 560.00

Formal amendments to the Meghalaya Travelling Allowance, 1985 shall be made in due course.

This order shall take effect from 1<sup>st</sup> December, 2017.

**R. V. SUCHIANG,**  
Principal Secretary to the Govt. of Meghalaya,  
Finance (Pay Revision) Department.



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 259

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

## PART-IIA

### GOVERNMENT OF MEGHALAYA FINANCE (PAY REVISION) DEPARTMENT

#### NOTIFICATION

The 7<sup>th</sup> December, 2017.

#### OFFICE MEMORANDUM

**Subject:- KIT & KIT MAINTENANCE ALLOWANCE.**

**No. F(PR)-63/2017/18.** - The undersigned is directed to refer to item 3.24 of Government Resolution on the recommendations of the Fifth Meghalaya Pay Commission and to say that the Governor of Meghalaya is pleased to sanction the grant of Kit Allowance & Kit Maintenance Allowance to the following categories of employees under Home (Police), Civil Defence & Home Guards, Prisons and Excise Departments at the rates specified below:-

**A. HOME (POLICE)**

**Kit Allowance**

- |                  |   |                            |
|------------------|---|----------------------------|
| a. Initial Grant | - | ₹ 6,000.00 (non-recurring) |
| b. Every year    | - | ₹ 1,000.00 (recurring)     |

**Kit Maintenance Allowance**

- |                                   |   |               |
|-----------------------------------|---|---------------|
| a. All Gazetted Officers          | - | ₹ 200.00 p.m. |
| b. Other ranks                    | - | ₹ 100.00 p.m. |
| c. Traffic Duty Gazetted Officers | - | ₹ 300.00 p.m. |
| d. Traffic Duty – Other ranks     | - | ₹ 150.00 p.m. |

**B. CIVIL DEFENCE & HOME GUARD**

**Border Wing Home Guards and  
Meghalaya Secretariat Duty Guards**

**Kit Allowance**

- |                  |   |                            |
|------------------|---|----------------------------|
| a. Initial Grant | - | ₹ 6,000.00 (non-recurring) |
| b. Every year    | - | ₹ 1,000.00 (recurring)     |

**Kit Maintenance Allowance**

- |                          |                 |
|--------------------------|-----------------|
| a. All Gazetted Officers | - ₹ 200.00 p.m. |
| b. Other ranks           | - ₹ 100.00 p.m. |

**C. PRISONS****Kit Allowance**

- |  |              |
|--|--------------|
| a. Initial Grant (non-recurring)                       |              |
| i. For Superintendent                                  | - ₹ 6,000.00 |
| ii. Jailor/Assistant Jailor                            | - ₹ 4,000.00 |
| iii. Other Ranks                                       | - ₹ 3,000.00 |
| b. For all Officers/other ranks every year (Recurring) | - ₹ 1,000.00 |

**Kit Maintenance Allowance**

- |   |                 |
|---|-----------------|
| i. Superintendent/Jailor/Assistant Jailor | - ₹ 200.00 p.m. |
| ii. Other ranks                           | - ₹ 100.00 p.m. |

**R. V. SUCHIANG,**  
Principal Secretary to the Govt. of Meghalaya,  
Finance Department.



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

---

No. 260

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

---

## PART-IIA

GOVERNMENT OF MEGHALAYA  
FINANCE (PAY REVISION) DEPARTMENT

-----  
**NOTIFICATION**

The 7<sup>th</sup> December, 2017.

**OFFICE MEMORANDUM**

**Subject:- SHIFT ALLOWANCE.**

**No. F(PR)-68/2017/21.** - The undersigned is directed to refer to Item 3.18 of Government Resolution on the recommendations of the Fifth Meghalaya Pay Commission and to say that in pursuance thereof, the Governor of Meghalaya is pleased to revise the rate of Shift Allowance for the Lecturers of Government Colleges to ₹ 3,000/- per month subject to the existing conditions.

These orders shall take effect from 1<sup>st</sup> December, 2017.

**R. V. SUCHIANG,**  
Principal Secretary to the Govt. of Meghalaya,  
Finance Department.



Postal Registration No. N. E.—771/2006-2008

# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 261

Shillong, Friday, December 8, 2017,

17th Agrahayana, 1939 (S. E.)

## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

### NOTIFICATION

The 8th December, 2017.

**No.LB.69/LA/2017/2.**—The Meghalaya Essential Services Maintenance (Amendment) Bill, 2017 introduced in the Meghalaya Legislative Assembly on the 8th March, 2017 together with the statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE MEGHALAYA ESSENTIAL SERVICES MAINTENANCE (AMENDMENT) BILL, 2017

A

Bill

to amend further the Meghalaya Essential Services Maintenance Act, 1980 (Meghalaya Act No. 23 of 1980).

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-eighth Year of the Republic of India as follows:-

**Short title and  
Commencement.**

1. (1) This Act may be called the Meghalaya Essential Services Maintenance (Amendment) Act, 2017.  
(2) It shall come into force at once.

**Amendment of  
Section 2 of the  
Act No. 23 of  
1980.**

2. In Section 2 of the Meghalaya Essential Services Maintenance Act, 1980, in sub-section (1), -  
after the existing sub-clause (vi) of clause (a), a new sub-clause (via) shall be inserted which is as follows:-  
“(via) ground handling services at the airports falling under the jurisdiction of the State of Meghalaya”.

### **STATEMENT OF OBJECT AND REASONS**

The Meghalaya Essential Services Maintenance Act was enacted by the State Legislature of Meghalaya in 1980 and the said Act was assented by the President of India. Definition of “essential services” under the aforesaid Act has been enumerated in Section 2 (1) (a) of the aforesaid Act which has been subsequently amended by the Meghalaya Essential Services Maintenance (Amendment) Act, 2003.

A proposal was received from the Ministry of Civil Aviation, Government of India to include “ground handling services at the airports falling under the jurisdiction of the State of Meghalaya” under the said Act.

It has become necessary to amend Section 2 of the Meghalaya Essential Services Maintenance Act, 1980 in order to include “ground handling services at the airports falling under the jurisdiction of the State of Meghalaya” under the said Act.

Hence the Bill.

**DR. MUKUL M. SANGMA,**  
Chief Minister,  
Government of Meghalaya.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

### **FINANCIAL MEMORANDUM**

There will be no additional expenditure from the Consolidated Fund of the State.



Postal Registration No. N. E.—771/2006-2008

# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 262

Shillong, Friday, December 8, 2017,

17th Agrahayana, 1939 (S. E.)

## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

### NOTIFICATION

The 8th December, 2017.

**No.LB.70/LA/2017/2.**—The Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (Amendment) Bill, 2017 introduced in the Meghalaya Legislative Assembly on the 8th December, 2017 together with the statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

#### THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MEMBERS' SALARIES AND ALLOWANCES) (AMENDMENT) BILL, 2017

A

Bill

to further amend the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972;

Be it enacted by the Legislatures of the state of Meghalaya in the Sixty-eighth Year of the Republic of India as follows:-

**Short title and Commencement.**

1. (1) This Act may be called the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (Amendment) Act, 2017.  
(2) It shall come into force from 1st January, 2017.

**Amendment of Section 4 of Act No. 8 of 1972.**

2. In Section 4 of the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972 hereinafter referred to as the principal Act, the following clauses shall be amended, namely,-



- (1) in clause (a), for the words “rupees fifteen thousand’ existing therein, the words”rupees twelve thousand’ shall be substituted.
- (2) for the existing clause (d), a new clause (d) shall be substituted as follows, namely,-
- “(d) the postage and telephone allowance shall be paid to members an amount of rupees six thousand per month.”
- (3) in clause (e), for the words “rupees ten thousand’ appearing therein the words”rupees five thousand’ shall be substituted.
- (4) in clause (f), for the words “rupees fourteen thousand’ appearing therein the words “rupees twelve thousand’ shall be substituted.

**Amendment of  
Section 5A of Act  
No. 8 of 1972.**

- 3. In Section 5 A of the principal Act for the words “rupees twelve thousand” appearing therein the words “rupees ten thousand’ shall be substituted.

**Repeal and  
savings**

- 4. (1) The Legislative Assembly of Meghalaya (Members’ Salaries and Allowances) (Amendment) Ordinance, 2017 (Meghalaya Ordinance No. 2 of 2017) is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the provisions of this Act.

### **STATEMENT OF OBJECT AND REASONS**

The Meghalaya Legislators Salaries and Allowance (Amendment) Bill, 2017 is proposed to replace the Meghalaya Legislators Salaries and Allowance (Amendment) Ordinance, 2017 (Ordinance No.2 of 2017). It may be mentioned that the pay and salaries of the Chief Minister, Speaker, Deputy Speaker, Deputy Chief Minister, Leader of Opposition, Ministers, Deputy Minister, Parliamentary Secretaries including the Members of Legislative Assembly were revised by the Meghalaya Legislators Salaries and Allowance (Amendment) Act, 2017 (Meghalaya Act No. 8 of 2017). Subsequently, the total pay as revised in the Amendment Act found to be not in the order of hierarchy for the MLAs in comparison with the others. As such to bring the total pay and allowance of MLAs in order, the Meghalaya Legislators Salaries and Allowance (Amendment) Ordinance, 2017 was promulgated and notified amending the Act.

Hence, this Bill to replace the Ordinance.

**M. M. DANGGO,**

Minister in-charge Parliamentary Affairs.

**ANDREW SIMONS,**

Commissioner & Secretary,  
Meghalaya Legislative Assembly.

### **FINANCIAL MEMORANDUM**

Certain expenditures will be incurred from and out of the Consolidated Fund of the State for the implementation of this Amendment Act.



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 263

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

-----

### NOTIFICATION

The 8<sup>th</sup> December, 2017.

**No.LB.71/LA/2017/2.** - The Meghalaya Passenger and Goods Taxation Act (Amendment) Bill, 2017 introduced in the Meghalaya Legislative Assembly on the 8<sup>th</sup> December, 2017 together with the statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### MEGHALAYA PASSENGER AND GOODS TAXATION ACT (AMENDMENT) BILL, 2017

A

### BILL

further to amend the Meghalaya Passengers and Goods Taxation Act, 1962 (Assam Act 16 of 1962 as adapted by Meghalaya.

Be it enacted by the Legislature of the State of Meghalaya on the Sixty Ninth year of the Republic of India as follows:-

**Short title and  
Commencement**

1. (i) This Act may be called the Meghalaya Passengers and Goods Taxation (Amendment) Bill, 2017.
- (ii) It shall extend to the whole State of Meghalaya.
- (iii) It shall come into force with immediate effect.

**Amendment of clause  
(f) of Sub-Section (1)  
of Section 22.**

2. In the Meghalaya Passengers and Goods Taxation Act, 1962 (hereinafter referred to as the Principal Act), for the existing clause (f) of sub-section (1) of Section 22, the following shall be substituted, namely,-

Whoever -

- (f) Contravenes any other provision of this Act, or the rules made thereunder shall be liable, on conviction, to a fine which may extend as under:-

<b>Class of vehicle</b>	<b>Passenger carrying capacity</b>	<b>Maximum Penalty</b>	<b>Fine for Continuing offence on subsequent conviction not to exceed the sum mentioned below for each day of continuance of the offence</b>
Motor vehicles for the transport of passengers on hire.	Carrying capacity not more than 3 (three) passengers	₹ 2000/- (Rupees two thousand)	₹ 100/- (Rupees one hundred) per day
Motor cab	Carrying capacity of not more than 6 (six) passengers excluding the driver.	₹ 5000/- (Rupees five thousand).	₹ 300/- (Rupees three hundred) per day
Maxi cab	Carrying capacity of more than 6 (six) but not more than 12 (twelve) passengers excluding the driver.	₹ 10,000/- (Rupees ten thousand).	₹ 500/- (Rupees five hundred) per day
Mini buses, city buses and bazaar buses.		₹ 25,000/- (Rupees twenty five thousand)	₹ 1000/- (Rupees one thousand) per day

<b>Class of vehicle</b>	<b>Pay load</b>	<b>Maximum Penalty</b>	<b>Fine for Continuing offence on subsequent conviction not to exceed the sum mentioned below for each day of continuance of the offence</b>
Motor vehicles for the transport of goods on hire	Upto 5 tonnes	₹ 5000/- (Rupees five thousand)	₹ 500/- (Rupees five hundred) per day
Motor vehicles for the transport of goods on hire	Above 5 tonnes upto 9 tonnes	₹ 10,000/- (Rupees ten thousand)	₹ 800/- (Rupees eight hundred) per day
Motor vehicles for the transport of goods on hire.	Above 9 tonnes	₹ 25,000/- (Rupees twenty five thousand)	₹ 1000/- (Rupees one thousand) per day

**STATEMENT OF OBJECTS AND REASONS**

It is necessary to raise revenue of the State under the Meghalaya Passenger and Goods Taxation Act, 1962 and for this purpose the existing provisions of the Meghalaya Passenger and Goods Taxation Act, 1962 are amended.

*Minister-in-charge*

*Secretary  
Meghalaya Legislative Assembly.*

**FINANCIAL MEMORANDUM**

The provisions of this Bill when enacted and enforced will be administered by the staff of the Department and no additional expenditure will be necessary for the purpose.



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 264

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

-----

### NOTIFICATION

The 8<sup>th</sup> December, 2017.

**No.LB.48/LA/2017/3.** - The Meghalaya Anatomy Bill, 2017 introduced in the Meghalaya Legislative Assembly on the 8<sup>th</sup> December, 2017 together with the statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE MEGHALAYA ANATOMY BILL, 2017

A

BILL

to provide for the supply of unclaimed bodies of deceased persons [or donated bodies or any part thereof of deceased persons] to hospitals and medical and teaching institutions for the purpose of anatomical examination and dissection and other similar purposes.

Whereas it is expedient to provide for the supply of unclaimed bodies of deceased persons (or donated bodies or any part thereof of deceased persons) to hospitals and medical and teaching institutions for the purpose of anatomical examination and dissection and other similar purposes:

Be it enacted by the [Meghalaya State] Legislature in the year of the Republic of India as follows:-

**Short title, Extent  
and  
commencement.**

1. (1) This Act may be called the [Meghalaya] anatomy Act, 2017.

(2) It extends to the whole of the [State of Meghalaya].

- (3) It shall come into force at once in the state of Meghalaya and on such [date or dates] as the State Government may by notification in the Official Gazette, specify from time to time.

## Definitions

2. (1) In this Act, unless there is anything repugnant in the subject or context, -
- (a) "Act" means the Meghalaya Anatomy Act, 2017;
  - (b) "approved institution" means a hospital or a medical college or an allied institution as may be declared by the State Government by notification in the Official Gazette, to be an approved institution for the purpose of this Act;
  - (c) "authorized officer" means an officer authorized under section 3;
  - (d) "hospital" means any hospital established or maintained by the State/Central Government or by any municipal corporation, municipal council, municipal borough, district municipality, district board or panchayat, and include any other hospital which may be declared by the State Government by notification in the Official Gazette, to be a hospital for the purposes of this Act;
  - (e) "persons interested" means a near relative or any other person who is interested in the disposal of the body of the deceased person in accordance with the religious usage or social custom of such deceased.  
  
**"Explanation. -** for purposes of this clause, "near relative" means any of the following relatives of the deceased, namely, wife, husband, parent, son, daughter, brother or sister and includes any other person who is related to the deceased (i) by lineal consanguinity within three degrees or by collateral consanguinity within six degrees, or (ii) by marriage with any of the relatives aforesaid. The expressions "lineal consanguinity" and "collateral consanguinity" shall have the meaning assigned to them in the Indian Succession Act, 1925, (Central Act XXXIX of 1925) and degrees of relationship shall be computed in the manner laid down in that Act;
  - (f) "prescribed" means prescribed by rules made under this Act;
  - (g) "unclaimed body" means the body of a person who dies in a hospital, prison or public place or a place to which members of the public have got access and which has not been claimed by any person interested within such time as may be prescribed.
- (2) The (Indian) General Clauses Act, 1897, shall apply for the interpretation of this Act, as it applies for the interpretation of a Meghalaya Act.

## Power of the State Government to authorize Officers to act under section 4.

3. (1) The State Government may, by notification in the Official Gazette, authorize for the area in which this Act comes into force or any part thereof, one or more officers to whom a report shall be made under section 4 and such officer or officers shall be competent to act under the said section.

**Unclaimed dead bodies  
in hospitals prisons and  
public places how to be  
dealt with**

(2) Every officer authorized under sub-section (1) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860.)

4. (1) If a person dies in a hospital or in a prison and his body is not claimed by any person or any police officer shall, with the least practicable delay report the fact to the authorized officer and the said officer shall take possession of the unclaimed body and except in the case referred to in sub-section (3), hand it over to the authority in charge of an approved institution, if it is required by that authority, for the purpose of conduction anatomical examination and dissection or other similar purpose.

(2) If a person dies in any public place in an area in which he had no permanent place of residence and the body of that person is not claimed by any person interested within the prescribed time, the authorized officer shall take possession of such unclaimed body and except in the case referred to in sub-section 93(d), hand it over to the authority in charge of an approved institution, if it is required by that authority, for the purposes specified in sub section (1).

(3) Where there is any doubt regarding the cause of death or when for any reason the authorized officer considers it expedient so to do, he shall forward the unclaimed body to the police officer referred to in section 174 of the Code of Criminal Procedure, 1898 (Central Act V of 1898).

(4) Where any unclaimed body taken possession of by the authorised officer under this section is not required by the authority in charge of an approved institution for the purpose specified in sub-section (1) it shall be disposed of in such manner as may be prescribed.

**Donation of bodies or any  
part thereof of deceased  
persons anatomical  
examination etc.**

4.A.(1) If any person at any time before his death had expressed an intention in writing in the presence of two or more witnesses, that his body or any part of his body be given to an approved institution for being used after his death for the purpose of conducting anatomical for examination and dissection or other similar purpose, any person interested may, unless he has reason to believe that the said intention was subsequently revoked institution for use in accordance with the intention.

(2) Without prejudice to the provisions of sub-section (1) such person interested may authorise the removal of the whole body or any part from the body for use for the purposes specified in sub-section (1) unless he has reason to believe.-

(a) That the deceased had expressed an objection to his body or any part thereof being so dealt with after his death, and had not withdrawn such objection; or

(b) That any near relative of the deceased referred to the explanation to clause (d) of section 2 objects to the body being so dealt with.



- (3) Subject to the provisions of sub-section (4) and (5), the removal and use of the whole body or any part of a body in accordance with an authority given in pursuance of this section shall be lawful, and shall be sufficient warrant for the removal of the body or any part thereof and its use for the purposes of this Act.
- (4) The body or any part of the body of any deceased person shall not be removed for any of the purposes specified in sub-section (1) from any place where such person may have died.-
- (i) Within forty eight hours from the time of such" person's death; or
- (ii) Until after twenty-four hours notice,(to be reckoned from the time of such death) to the Executive Magistrate of the intended removal of the body; or
- (iii) Unless a Certificate stating in what manner such person came by his death shall, previously to the removal of the body has been signed by the registered medical practitioner who attended such person during the illness whereof he died or, if no such practitioner attended such person during such illness, then by a registered medical practitioner who shall be called in after the death of such person to view his body and who shall state the manner and cause of death according to the best of his knowledge and belief, but who shall not be concerned in dealing with the body for any of the purposes aforesaid removal, and in case of such removal, such certificate shall be delivered together with the body to the authority in-charge of an approved institution receiving the same for any of the purposes aforesaid.
- (iv) If the person interested has reason to believe that an inquest or a postmortem examination of such body may be required to be held, in accordance with the provisions of any law for the time being of force, the authority for the removal of the body or any part thereof shall not be given under this section except with the consent of the authority empowered to hold an inquest or order postmortem under such law.

**Doubt or dispute as to near relative to be referred to Magistrate of the First Class.-**

5. (1) If any doubt or dispute arises whether a person is or is not a person interested for the purpose of section 4 the matter shall be referred to a Magistrate of the First Class and the decision of such Magistrate shall be final.
- (2) Pending such decision, the body of the deceased person shall be preserved from decay in such manner as may be prescribed.

**Penalty.-**

6. Whoever disposes of, or abets the disposal of, an unclaimed body save as provided by this Act, or obstructs any authority in charge of an approved institution or an authorized officer from handing over, taking possession of, removing or using, such dead body for the purposes specified in section 4, shall be punishable with fine which may extend to five hundred rupees.

- |  |   |
|--|---|
| <b>Duty of Police and officers to assist in obtaining possession of unclaimed bodies</b> | <b>7.</b> All officers and servants of the Police, Medical and Public Health <b>other</b> Departments, all officers and servants in the service of a local authority, and all village officers and servants shall be bound to take all reasonable measures to assist authorized officers in the discharge of their duties under this Act.   |
| <b>Protection of persons acting under this Act</b>                                       | <b>8.</b> No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act.   |
| <b>Power to make rules</b>   | <b>9.</b> The State Government, may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.   |
| <b>Power to remove Difficulties</b>  | <b>10.</b> (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provision not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removal of the difficulty:<br><br>Provided no such order shall be made after the expiry of a period of two years from the date of the commencement of this Act.<br><br>(2) Every order made under this Section shall, as soon as may be after is made, be laid down before the State Legislature. |
| <b>Savings Clause</b>  | <b>11.</b> Notwithstanding anything contained in this Act, any action taken or purported to have been done under any order or notifications issued under any other law before the commencement of the Act shall be deemed to have been taken or done under the corresponding provisions of this Act.  |

**MEMORANDUM OF DELEGATED LEGISLATION**

According to clause 9 of the proposed Bill, the State Government may make rules for carrying the purpose of the proposed enactment. Further, clause 10 empowers the State Government to make order for removing the difficulty where any such difficulty arises in giving effect in implementation of the provision of the Bill. The delegation is a matter of detail and as such is normal.

**FINANCIAL MEMORANDUM**

There will be no expenditure involved from the Consolidated Fund of the State of Meghalaya for implementation of the provisions of the Bill.

**STATEMENT OF OBJECTS AND REASONS**

Since considerable difficulty is experienced in obtaining bodies of deceased persons for educational purposes in medical institutions it is considered necessary to provide for the supply of unclaimed bodies of deceased persons to hospitals and medical and teaching institutions.

Hence, this Bill.

**ROSHAN WARJRI,**  
Minister  
Health & Family Welfare.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

**FINANCIAL MEMORANDUM**

There will be no expenditure involved from the Consolidated Fund of the State of Meghalaya for implementation of the provisions of the Bill.



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 265

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

-----

### NOTIFICATION

The 8<sup>th</sup> December, 2017.

**No.LB.49/LA/2017/3.** - The Meghalaya Nursing Council (Amendment) Bill, 2017 introduced in the Meghalaya Legislative Assembly on the 8<sup>th</sup> December, 2017 together with the statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE MEGHALAYA NURSING COUNCIL (AMENDMENT) BILL, 2017

A

### BILL

further to amend the Meghalaya Nursing Council Act, 1992.

Be it enacted by the Legislature of the State of Meghalaya in the Sixty eight Year of the Republic of India as follows:-

**Short title and commencement** 1. (1) This Act may be called the Meghalaya Nursing Council (Amendment) Act, 2017.

(2) It shall come into force at once.

**Amendment of section 2.** 2. In section 2 of the Meghalaya Nursing Council Act, 1992 (hereinafter referred to as the principal Act) -

(i) for the existing clause (d), the following new clause (d) shall be substituted, namely :-

'(d) "nurse" means a registered nurse, of different cadre".

(ii) after clause (j), the following new clause (ja) shall be inserted, namely:-

'(ja) "State Council" means a Council, by whatever name called, constituted under the law of a State to regulate the registration of nurses, midwives, health visitors in the State".

**Amendment of section 4.**

3. In section 4 of the principal Act, in sub-section (1), for the existing clauses (e), (f) and (g), the following new clauses (e), (f) and (g) shall respectively be substituted, namely:-

'(e) the Deputy Director Nursing Assistant Director Nursing of Director of Health Services (MI);

'(f) two Nursing Superintendent and two Matron one each from Government and Non-Government Hospital;

'(g) two Principal, one each from Government and Non-Government Hospital; and".

**STATEMENT OF OBJECT AND REASONS**

It is felt necessary to amend the Meghalaya Nursing Council Act, 1992 to regulate more strongly the regulation of nurses, midwives and health visitors in the State as resolved by the Meghalaya Nursing Council. Therefore, it is proposed to amend section 2 and section 4 of the Meghalaya Nursing Council Act, 1992.

Hence, this Bill.

**R. WARJRI,**  
Minister  
Health & Family Welfare.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

**FINANCIAL MEMORANDUM**

There will be no expenditure involved from the Consolidated Fund of the State of Meghalaya for implementation of the provisions of the Bill.



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

---

No. 266

Shillong, Friday, December 8, 2017

17<sup>th</sup> Agrahayana, 1939 (S. E.)

---

## PART-I

GOVERNMENT OF MEGHALAYA  
CABINET AFFAIRS DEPARTMENT

-----

### NOTIFICATION

The 8<sup>th</sup> December, 2017.

**No.CA.08/2013/70.-** The Governor of Meghalaya has accepted the resignation of Shri Comingone Ymbon, Minister from the Council of Minister with effect from 7<sup>th</sup> December, 2017.

**Y. TSERING,**

Chief Secretary to the Govt. of Meghalaya.